

**LODI CITY COUNCIL
SPECIAL CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
FRIDAY, JANUARY 16, 2004**

A. CALL TO ORDER / ROLL CALL

The Special City Council meeting of January 16, 2004, was called to order by Mayor Hansen at 3:47 p.m.

Present: Council Members – Beckman, Hitchcock, and Mayor Hansen

Absent: Council Members – Howard and Land

Also Present: City Manager Flynn, Deputy City Attorney Schwabauer, and City Clerk Blackston

B. CLOSED SESSION

At 3:50 p.m., Mayor Hansen adjourned the Special City Council meeting to a Closed Session to discuss the following matter:

B-1 Actual Litigation: Government Code §54956.9(a); one case; People of the State of California; and the City of Lodi, California v. M & P Investments, et al.; United States District Court, Eastern District of California, Case No. CIV-S-00-2441 FCD JFM

The Closed Session adjourned at 4:25 p.m.

C. RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

At 4:27 p.m., Mayor Hansen reconvened the Special City Council meeting and disclosed the following action.

In regard to Item B-1, the following motions were made:

MOTION #1:

On a vote of 3-0 Council authorized Robert Levy and David McMahon of Barger & Wolen law firm to work with Deputy City Attorney Schwabauer and interim legal counsel (Kronick Moskovitz Tiedemann & Girard) for a combined report on the Lehman Brothers Agreement.

MOTION #2:

On a vote of 3-0 Council authorized the City Manager to execute a contract with Kronick Moskovitz Tiedemann & Girard to represent the City on an interim basis in connection with 1) assistance to the (Deputy) City Attorney's Office and 2) advice and counsel with respect to outstanding environmental cleanup litigation, including evaluation of the City's relationship with Lehman Brothers.

MOTION #3:

On a vote of 3-0 Council authorized Daniel O'Hanlon of Kronick Moskovitz Tiedemann & Girard to file a protective Notice of Appeal with the Ninth Circuit Court on January 21, 2004.

D. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None.

E. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 4:27 p.m.

ATTEST:

Susan J. Blackston
City Clerk